



## Facsimile Transmission

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August 7, 2007

Please hand deliver the following facsimile to:

Name: **Examiner G. Shameem**

Facsimile No.: **571-273-0706**

Company: **United States Patent and Trademark Office**

Number of pages (including this page): **5**

Telephone No.: **571-272-0706**

From: **Dale L. Rieger**

Title: **Of Counsel**

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Direct Telephone No.: **(858) 314-1188**

JP No.: **JP009257**

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CAM No.: **011104-999015**

Operator's Initials

Re: **Application of: Wu, et al.; Serial No.: 10/781,442**  
**Filed: February 18, 2004; Confirmation No. 3434; Art Unit 1626**  
**For: Phenylenediamine Urotensin-II Receptor Antagonists and CCR-9 Antagonists**

**Originals will not follow**

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### Message:

Dear Examiner Shameem:

This facsimile is in response to your request earlier today that we provide you with a copy of the Terminal Disclaimer in connection with the above-referenced application, which was filed with the USPTO on July 23, 2007 via Express Mail No. EB 132602194 US.

Please do not hesitate to contact me if you have any questions.

Please call us immediately if the facsimile you receive is incomplete or illegible. Please ask for the facsimile operator.

LAI-2891070v1

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Express Mail No. EB 132602194 US

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Application of:	Wu et al.	Confirmation No.:	3434
Serial No.:	10/781,442	Art Unit:	1626
Filed:	February 18, 2004	Examiner:	G. Shameem
For:	Phenylenediamine Urotensin-II Receptor Antagonists and CCR- 9 Antagonists	Attorney Docket No:	017092-0046-999 (CAM 011104- 999015)

**SUBMISSION OF TERMINAL DISCLAIMER**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

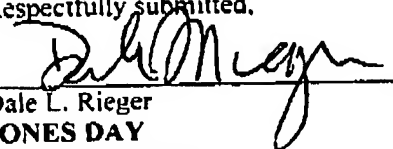
Sir:

Pursuant to a teleconference with Examiner Shameem on July 17, 2007, enclosed is an executed Terminal Disclaimer for filing in connection with the above-referenced application. Applicant respectfully submits that submission of this Terminal Disclaimer places the application in condition for allowance.

The Director is hereby authorized to charge the fee for filing this Terminal Disclaimer (37 CFR §1.20(d); \$65.00; small entity), or any other fees that may be due in connection with filing this paper, or credit any overpayment, to Jones Day Deposit Account No. 50-3031 (referencing CAM 011104-999015). A duplicate of this sheet is enclosed for such purpose.

Respectfully submitted,

Date: July 23, 2007

  
Dale L. Rieger  
JONES DAY  
222 East 41st Street  
New York, New York 10017  
858.314.1200

43,045

(Reg. No.)

Enclosure

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**COPY**

Express Mail No. EB 132602194 US

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Application of:	Wu et al.	Confirmation No.:	3434
Serial No.:	10/781,442	Art Unit:	1626
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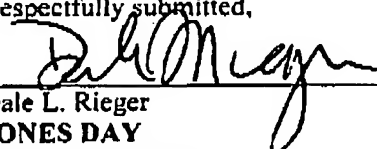
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LAI-2887522v1

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Jul-17-07 01:43pm From-JONES DAY LAW FIRM

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T-618 P.004/005 F-080

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Application of:	Wu et al.	Confirmation No.:	3434
Serial No.:	10/781,442	Art Unit:	1626
Filed:	February 18, 2004	Examiner:	G. Shamcem
For:	Phenylenediamine Urotensin-II Receptor Antagonists and CCR-9 Antagonists	Attorney Docket No.:	017092-0046-999 (CAM 011104- 999015)

**TERMINAL DISCLAIMER**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir,

Your Petitioner, Paul Manierre represents that (s)he holds the position of General Counsel of Encysive Pharmaceuticals, Inc., the assignee of the entire right, title and interest in and to the above identified application by virtue of an assignment which was recorded on May 24, 2004 at reel 015359 frame 0363.

Petitioner hereby disclaims the terminal part of any patent granted on the above identified application which would extend beyond the expiration date of the patent granted on U.S. Patent Application No. 10/924,180, filed August 23, 2004 and hereby agrees that any patent so granted on the above identified application shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to the patent granted on U.S. Patent Application No. 10/924,180.

Petitioner further agrees that this agreement is to run with any patent granted on the above identified application and is to be binding upon the grantee, its successors, and assigns.

Petitioner does not disclaim any terminal part of any patent granted on the above-identified application prior to the expiration date of the full statutory term of the patent granted on U.S. Patent Application No. 10/924,180 in the event that said patent later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. 1.321(a), has all claims canceled by a reexamination certificate, or is otherwise terminated prior to the expiration of its full statutory term, except for the separation of legal title stated above.

Petitioner hereby confirms that he has reviewed the assignment and, to the best of his knowledge and belief, title is in the assignee seeking to take action in this matter and that he is empowered to act on behalf of Encysive Pharmaceuticals, Inc. Encysive Pharmaceuticals, Inc..

Petitioner hereby declares that all statements made herein of his own knowledge are true and that

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T-618 P.005/005 F-080

all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Signed this 18<sup>th</sup> day of July, 2007.

Encysive Pharmaceuticals, Inc.

By: \_\_\_\_\_

Name: Paul Manierre  
Position: General Counsel